

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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JOY MASON as the Administratrix of the  
Estate of GERMINE FORRESTER, and  
JOY MASON, individually

**PLAINTIFF'S**  
**INITIAL DISCLOSURES**  
**PURSUANT TO FED. R. CIV. P.**  
**26(A)**

Plaintiff,

Civil Action # 2:11-CV-1176 (SRC)

-against-

JOHN DINEEN , ROBERT DINEEN, Jr.,  
and MAY RYAN, LLC., doing business as  
MICHAEL ANTHONY'S RESTAURANT

Defendants.

-----X  
PLEASE TAKE NOTICE, that plaintiff by his attorneys, EBANKS & SATTLER, LLP,  
pursuant to Rule 26(a) of the Federal Rules of Civil Procedure, hereby submits for disclosure as  
follows:

- a. The name and, if known the address and telephone number of each individual likely  
to have discoverable information that the disclosing party may use to support its  
claims or defenses, unless solely for impeachment, identifying the subjects of  
information. At the present time, the plaintiff is aware of the following individuals:

<u>Name</u>	<u>Subject Matter</u>
Defendant John Dineen	Liability
Defendant Robert Dineen Jr.	Liability

Kenyon Obrien  
218 Hopkins Ave Floor 3  
Jersey City, NJ 07307

Liability and Damages

Angel Vargas  
233 E. 8<sup>th</sup> Street  
Clifton, NJ 07011

Liability and Damages

Youssef A. Jaafar  
1600 73<sup>rd</sup> St. Apt 2  
North Bergen, NJ 07047

Liability and Damages

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**All Responding Law Enforcement  
and Investigative Personnel:**

**Liability and Damages**

P.O. Sanny Fernandez  
Jersey City Police Department

P.O. Luis Matias  
Jersey City Police Department

P.O. T. Broderick  
Jersey City Police Department

P.O. D. Valente  
Jersey City Police Department

P.O. B. Sullivan (photographer)  
Jersey City Police Department

P.O. R. Ehlers  
Jersey City Police Department

Sgt. J. Olszewski  
Jersey City Police Department

P. O. E. Herdoiza  
Jersey City Police Department

LT Cowan  
Jersey City Police Department

Captain Cubby  
Jersey City Police Department

P.O. John Curtis  
Crash Investigation/ JCPD

P.O. L. Mecka  
Jersey City Police Department

Investigator C.M. Heger  
Jersey City Police Department

P.O. R. Flammelly  
Riverdale PD, base #63

P.O. Joseph King  
Crash Investigation/JCPD

Sgt. C. Bulger  
Riverdale Police Department

Dr. Y. Ahuja	Damages
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Carl Kellgren Jersey City Medical Ctr - EMS	Damages
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Charles Bracken Jersey City Medical Ctr – EMS	Damages
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Medical Examiner Investigator Steven Cicala	Damages
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Forensic Pathologist Floriana Persechino, M.D.	Damages
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Frank Cilento Spatan Security	Liability
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Mark Kobner Spatan Security	Liability
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Mark Real Spatan Security	Liability
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Daydatt Kaylessar Jersey City Automotive Garage	Liability
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Joy Mason	Damages
Joneal Mason	Damages

- b. A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of information. At the present time, the plaintiff is aware of the following:

**Description/Custodian/Location**

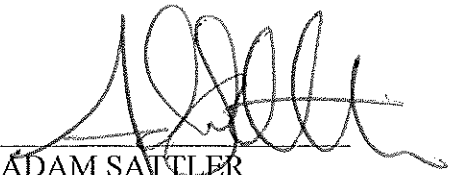
1. New Jersey Police Crash Investigation Report (See Exhibit "A")  
Jersey City, North District  
282 Central Avenue  
Jersey City, NJ 07307-3013
2. Jersey City Police Department, North District (See Exhibit "B")  
Arrest and Investigation Report  
Jersey City, North District  
282 Central Avenue  
Jersey City, NJ 07307-3013
3. Medical records of John Dineen  
Hackensack Hospital  
30 Prospect Avenue Hackensack, New Jersey 07601
4. 1999 Toyota Land Cruiser  
VIN # JT3HJ05J3X0037814  
Hudson County Prosecutor's Office  
595 Newark Avenue #6, Jersey City, NJ 07306
5. DNA Swab Specimens  
From 1999 Toyota Land Cruiser  
Hudson County Prosecutor's Office  
595 Newark Avenue #6, Jersey City, NJ 07306
6. Jersey City Police Department Evidence Bag  
#TH0010688 containing pieces of Toyota Land Cruiser  
Hudson County Prosecutor's Office  
595 Newark Avenue #6, Jersey City, NJ 07306

7. Riverdale P.D. Video of In Car camera/stop  
of John Dineen  
Hudson County Prosecutor's Office  
595 Newark Avenue #6, Jersey City, NJ 07306
  8. Swab Carton #1 from Decedent  
Hudson County Prosecutor's Office  
595 Newark Avenue #6, Jersey City, NJ 07306
  9. Transcript of the "SPEN" Report Describing Vehicle/Sprint Report  
Hudson County Prosecutor's Office  
595 Newark Avenue #6, Jersey City, NJ 07306
  10. Digital Photographs of 1999 Toyota Landcruiser  
Hudson County Prosecutor's Office  
595 Newark Avenue #6, Jersey City, NJ 07306
  11. Medical records from Jersey City Medical Center – EMS (See Exhibit "C")  
355 Grand Street  
Jersey City, N.J. 07302
  12. Autopsy Report from  
Office of State Medical Examiner (See Exhibit "D")  
325 Norfolk Street  
Newark, NJ 07103
- c. A computation of any category of damages claimed by the disclosing party, making available for inspection and copying under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered:
- As a result of the defendants' actions, Plaintiff/Plaintiff's Decedent experienced physical injuries, conscious pain and suffering, fear of impending death, emotional distress, mental anguish, pecuniary loss including but not limited to loss of financial support, loss of guidance and loss of household services. The specific dollar amount of damages will be calculated by a jury.
- d. For inspection and copying as under Rule 34 any insurance agreement which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment:

Not applicable.

Dated: New York, New York  
May 26, 2011

By:



ADAM SATTLER  
EBANKS & SATTLER, LLP  
Attorneys for Plaintiff  
20 Vesey Street, Suite 503  
New York, NY 10007

To:

MALOOF, LEBOWITZ,  
CONNAHAN & OLESKE  
Jack F. Maloof, Esq.  
127 Main Street  
Chatham, New Jersey 07928

SORIANO, HENKEL, BIEHL & MATTHEWS  
Thomas Matthews, Esq.  
76 Eisenhower Parkway  
Roseland, New Jersey 07068-1693

**AFFIDAVIT OF SERVICE**

STATE OF NEW JERSEY)

)ss:

COUNTY OF KINGS)

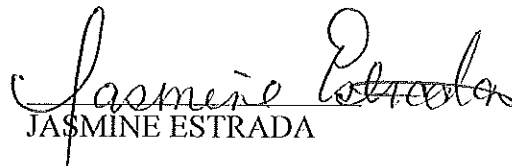
Jasmine Estrada, being duly sworn deposes and says Deponent is not a party of this action and is over the age of 18 years and resides in the State of New York, that on the 1<sup>ST</sup> day June, 2011, I personally served a true and correct copy of the **PLAINTIFF'S INITIAL DISCLOSURE PURSUANT TO FED. R. CIV. P. 26(A)** upon

MALOOF, LEBOWITZ, CONNAHAN  
& OLESKE, P.C.  
Jack F. Maloof, Esq.  
127 Main Street  
Chatham, New Jersey 07928

SORIANO, HENKEL, BIEHL  
& MATTHEWS, P.C.  
Thomas Matthews, Esq.  
76 Eisenhower Parkway  
Roseland, New Jersey 0708-1693

The address designated by them for that purpose by depositing a true copy of same enclosed in a postage-paid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within New York State.

Dated: New York, New York  
June 1, 2011

  
JASMINE ESTRADA

Sworn to before me this 1<sup>st</sup> day of June, 2011.

  
\_\_\_\_\_  
NOTARY PUBLIC

VANESSA MENDEZ  
Commissioner of Deeds  
City of New York No. 2-12603  
Certificate Filed in New York County  
Commission Expires May 1, 2012

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Defendants.

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**PLAINTIFF'S INITIAL DISCLOSURES PURSUANT TO F.R.C.P. 26(A)**

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EBANKS & SATTler, LLP  
Attorneys for Plaintiff  
20 Vesey Street, Suite 503  
New York, NY 10007  
(212) 766-4411

*Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.*

*Dated:* \_\_\_\_\_

*Signed:* \_\_\_\_\_

*Service of a copy of the within*

*is hereby admitted.*

*Dated:* \_\_\_\_\_

*Attorney(s) for plaintiff*

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